

# Exhibit 367

*United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.*  
*v. Dey, Inc., et al.*, Civil Action No. 05-11084-PBS

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support  
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

# Colorado Court Database

For: Serving / Kim

**Case Number:** 2004CR000383

**Date Filed:** 06/03/2004

## People of The State of Colorado v. Ricks Sr, Michael Todd Sex Offenses; CR -Criminal

### Summary

**Judge:** Nancy Artz Hopf

**Court:** Douglas District Court

**Division:** 6

**EFiled:** N

**Appealed:** Y

**Case Closed Date:** 09/08/2005

### Case Status

Closed

Sex Offender

### Judge or Magistrate

Name	BAR Number
Nancy Artz Hopf	8328
Susanna Lea Meissner-Cutler	16111

### Agency

Agency	Agency Case	Tkt/Summons Nbr	Arrest Nbr
Douglas County Sheriff Dept	04-05279		04A2406

### Related Cases

Location	Case Number	Related Reason	Name
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### Participants

Litigant	Attorney
Ricks Sr, Michael Todd	Truhe, Eric William
Defendant 1	Role: Deputy Public Defender
DOB: 06/16/1959	BAR: 32993
Gender: Male	Primary Attorney: Y
Race: Black	

### Charges

Count	Date	Details
1	05/22/2004	Charges: Sex Assault-false medical exam Status: Dismissed Statute: 18-3-402(1)(g) Class: F4 (Class 4 Felony)

BAC: 0  
Arrest Date: 06/03/2004  
Disposition Date: 03/28/2005  
Disposition: Dism by DA

- 1      05/22/2004    Charges: Sex Assault-false medical exam  
                         Status: Arrest Only Charge  
                         Statute: 18-3-402(1)(g)  
                         Class: F4 (Class 4 Felony)  
                         BAC: 0  
                         Arrest Date: 06/03/2004
- 2      05/22/2004    Charges: Sexual Contact-fake medical exam  
                         Status: Dismissed  
                         Statute: 18-3-404(1)(g)  
                         Class: F4 (Class 4 Felony)  
                         BAC: 0  
                         Arrest Date: 06/03/2004  
                         Disposition Date: 03/28/2005  
                         Disposition: Dism by DA
- 2      05/22/2004    Charges: Sexual Contact-fake medical exam  
                         Status: Arrest Only Charge  
                         Statute: 18-3-404(1)(g)  
                         Class: F4 (Class 4 Felony)  
                         BAC: 0  
                         Arrest Date: 06/03/2004
- 3      05/22/2004    Charges: Criminal Impersonation-unspecified  
                         Status: Dismissed  
                         Statute: 18-5-113  
                         Class: F6 (Class 6 Felony)  
                         BAC: 0  
                         Arrest Date: 06/03/2004  
                         Disposition Date: 03/28/2005  
                         Disposition: Dism by DA
- 3      05/22/2004    Charges: Criminal Impersonation-unspecified  
                         Status: Arrest Only Charge  
                         Statute: 18-5-113  
                         Class: F6 (Class 6 Felony)  
                         BAC: 0  
                         Arrest Date: 06/03/2004
- 4      05/22/2004    Charges: Medicine-Impersonation of Dr.  
                         Status: Arrest Only Charge  
                         Statute: 12-36-129(2)  
                         Class: M2 (Class 2 Misdemeanor)  
                         BAC: 0

Arrest Date: 06/03/2004

5      05/22/2004 Charges: Barbering w/out a License COSMETOLOGY  
Status: Arrest Only Charge  
Statute: 12-8-127(1)  
Class: M2 (Class 2 Misdemeanor)  
BAC: 0  
Arrest Date: 06/03/2004

6      05/22/2004 Charges: unlawful acts  
Status: Arrest Only Charge  
Statute: 42-2-309  
Class: M3 (Class 3 Misdemeanor)  
BAC: 0  
Arrest Date: 06/03/2004

7      05/22/2004 Charges: unlawful acts  
Status: Arrest Only Charge  
Statute: 42-2-309  
Class: M3 (Class 3 Misdemeanor)  
BAC: 0  
Arrest Date: 06/03/2004

32     05/22/2004 Charges: Sex Asslt-vic incapab-forc/drug/other  
Status: Main Charge  
Statute: 18-3-402(1)(b),(4)  
Class: F3 (Class 3 Felony)  
Offense Date From: 05/22/2004  
Offense Date To: 05/22/2004  
BAC: 0  
Arrest Date: 06/03/2004  
Plea Date: 03/28/2005  
Plea: Plea of Guilty  
Disposition Date: 09/08/2005  
Disposition: Guilty

Sentence Date: 09/08/2005  
Sentence: Sentence by Court  
Sentence Status: Active

Victim Compensation Fund: \$125 Dollar Amount  
VAST min for off after 5/1/03: \$162.5 Dollar Amount  
Court Costs - T, M, CR: \$35 Dollar Amount  
Sex Offender Surcharge: \$2000 Dollar Amount Waived  
Department of Corrections: 20 Indeterminate Sentence  
Credit for Time Served: 297 Day(S)

33     05/22/2004 Charges: Sexual Contact-no consent

Status: Main Charge  
Statute: 18-3-404(1)(a)  
Class: M1 (Class 1 Misdemeanor)  
Offense Date From: 05/22/2004  
Offense Date To: 05/22/2004  
BAC: 0  
Arrest Date: 06/03/2004  
Plea Date: 03/28/2005  
Plea: Plea of Guilty  
Disposition Date: 09/08/2005  
Disposition: Gilty Misdemeanor

Sentence Date: 09/08/2005  
Sentence: Sentence by Court  
Sentence Status: Active

Jail: 2 Year(S)

#### Scheduled Events

Date	Time	Details
06/04/2004	8:25	Appearance on Arrest Warrant Room: B Judge: Susanna Lea Meissner-Cutler Status: Hearing Held
06/07/2004	8:25	Appearance on Arrest Warrant Room: B Judge: Susanna Lea Meissner-Cutler Status: Hearing Held
06/09/2004	9:30	Rtrn Filing of Charges Room: B Judge: Susanna Lea Meissner-Cutler Status: Hearing Held
06/11/2004	9:30	Appearance of Counsel Room: B Judge: Susanna Lea Meissner-Cutler Status: Hearing Held
06/25/2004	8:30	Rtrn Filing of Charges Room: B Judge: Susanna Lea Meissner-Cutler Status: Vacated
07/09/2004	8:30	Preliminary Hearing Room: B Judge: Susanna Lea Meissner-Cutler Status: Continued by Parties
08/06/2004	13:30	Preliminary Hearing Room: B Judge: Susanna Lea Meissner-Cutler

		Status: Vacated
08/09/2004	8:30	Arraignment
		Room: 1
		Judge: Thomas J Curry
		Status: Held and Continued
10/04/2004	10:30	Arraignment
		Room: 1
		Judge: Thomas J Curry
		Status: Held and Continued
10/25/2004	10:30	Arraignment
		Room: 1
		Judge: Thomas J Curry
		Status: Held and Continued
11/08/2004	10:30	Disposition Hearing
		Room: 1
		Judge: Thomas J Curry
		Status: Held and Continued
11/22/2004	8:30	Appearance of Counsel
		Room: 1
		Judge: Thomas J Curry
		Status: Hearing Held
01/31/2005	8:30	Disposition Hearing
		Room: 1
		Judge: Thomas J Curry
		Status: Held and Continued
03/28/2005	9:00	Arraignment
		Room: 1
		Judge: Thomas J Curry
		Status: Disposition Reached
04/05/2005	11:00	Appearance on Arrest Warrant
		Room: 1
		Judge: Thomas J Curry
		Status: Hearing Held
04/18/2005	10:30	Hearing on Bond
		Room: 1
		Judge: Thomas J Curry
		Status: Vacated
04/25/2005	11:00	Hearing on Bond
		Room: 1
		Judge: Thomas J Curry
		Status: Hearing Held
06/09/2005	13:30	Sentencing Hearing
		Room: 1
		Judge: Thomas J Curry
		Status: Vacated
06/13/2005	15:00	Appearance of Counsel
		Room: 1
		Judge: Thomas J Curry
		Status: Hearing Held

06/16/2005 8:30 Hearing  
Room: 1  
Judge: Thomas J Curry  
Status: Hearing Held

07/11/2005 13:30 Motions Hearing  
Room: 1  
Judge: Thomas J Curry  
Status: Hearing Held

09/08/2005 14:00 Sentencing Hearing  
Room: 1  
Judge: Thomas J Curry  
Status: Hearing Held

10/03/2005 6:00 Review  
Room: 1  
Judge: Thomas J Curry  
Status: Vacated

10/19/2005 8:15 Hearing  
Room: 1  
Judge: Thomas J Curry  
Status: Vacated

11/08/2005 7:00 Review  
Room: 1  
Judge: Thomas J Curry  
Status: Hearing Held

05/08/2006 7:00 Review  
Room: 1  
Judge: Thomas J Curry  
Status: Held and Continued

11/08/2006 7:00 Review  
Room: 6  
Judge: Nancy Artz Hopf  
Status: Hearing Held

09/08/2055 6:00 Review  
Room: 6  
Judge: Nancy Artz Hopf

### Proceedings

Date	Code	Description
06/03/2004	AFAW	Affidavit for Arrest Warrant
06/03/2004	MORD	Motion and Order
06/03/2004	WAFF	Warrant Upon Affidavit DEF/ Ricks Sr, Michael Todd
06/04/2004	RSWT	Return of Service on Warrant
06/04/2004	MINC	Minute Order (Print)
06/04/2004	TROG	Temp Restraining Ord-Granted Protection Order Expiration Date: 12/01/2004 DEF/ Ricks Sr, Michael Todd
06/09/2004	MINC	Minute Order (Print)
06/09/2004	CMPL	Complaint
06/11/2004	MINC	Minute Order (Print)

07/09/2004	MINC	Minute Order (Print)
07/28/2004	NOTC	Notice Filed
		DEF/ Ricks Sr, Michael Todd
07/28/2004	MOTN	Motion
		DEF/ Ricks Sr, Michael Todd
07/28/2004	MOTN	Motion
		DEF/ Ricks Sr, Michael Todd
07/28/2004	MOTN	Motion
		DEF/ Ricks Sr, Michael Todd
07/28/2004	MOTN	Motion
		DEF/ Ricks Sr, Michael Todd
08/06/2004	MINC	Minute Order (Print)
08/06/2004	BIND	Bindover to Dist Ct w/o Prelim
08/09/2004	MINC	Minute Order (Print)
10/04/2004	MINC	Minute Order (Print)
10/25/2004	MINC	Minute Order (Print)
11/08/2004	MINC	Minute Order (Print)
11/22/2004	MINC	Minute Order (Print)
01/31/2005	MINC	Minute Order (Print)
03/28/2005	MINC	Minute Order (Print)
03/28/2005	FOTH	Filing Other
03/28/2005	FOTH	Filing Other
03/28/2005	MORD	Motion and Order
03/28/2005	PSIO	PSI Ordered
03/28/2005	SOEV	Sex Offender Eval Ordered
03/28/2005	FOTH	Filing Other
03/28/2005	CONS	Consent
04/05/2005	MOTN	Motion
04/05/2005	FOTH	Filing Other
04/05/2005	MINC	Minute Order (Print)
04/25/2005	MINC	Minute Order (Print)
04/25/2005	FOTH	Filing Other
05/13/2005	LETR	Letter
06/06/2005	PSIF	Pre-Sentence Invest Rpt Filed
06/09/2005	MINC	Minute Order (Print)
06/13/2005	MINC	Minute Order (Print)
06/16/2005	MINC	Minute Order (Print)
06/28/2005	RPRT	Report
07/05/2005	NOTC	Notice Filed
		DEF/ Ricks Sr, Michael Todd
07/05/2005	MOTN	Motion
		DEF/ Ricks Sr, Michael Todd
07/11/2005	MINC	Minute Order (Print)
08/10/2005	RPRT	Report
08/10/2005	LETR	Letter
09/08/2005	MINC	Minute Order (Print)
09/08/2005	CLAD	Case Closed
09/08/2005	SXOF	Sex Offender by Statute
09/08/2005	LETR	Letter



09/08/2005	MITI	Mittimus Issued DEF/ Ricks Sr, Michael Todd
09/16/2005	CAT	In Custody Awaiting Transport
09/20/2005	REG	Sex Offender Registered
10/03/2005	REG	Sex Offender Registered DEF/ Ricks Sr, Michael Todd
10/03/2005	ROPN	Reopen for Post Judgment
10/03/2005	MINC	Minute Order (Print)
10/04/2005	MOTN	Motion DEF/ Ricks Sr, Michael Todd
10/06/2005	ORDR	Order
10/06/2005	MINC	Minute Order (Print)
10/11/2005	FOTH	Filing Other
10/19/2005	MINC	Minute Order (Print)
10/25/2005	NAPF	Notc of Appeal Filed
10/25/2005	DESG	Desg of Record on Appeal
10/28/2005	ADVN	Advisory Notc of filing NAPF
12/09/2005	MINC	Minute Order (Print)
01/19/2006	AFFI	Affidavit
01/30/2006	ORDR	Order
03/09/2006	TROV	Temp Restraining Ord-Vacated
06/22/2006	ORDR	Order
07/27/2006	MINO	Minute Order (No Print)
07/31/2006	FOTH	Filing Other
09/08/2006	MOTN	Motion DEF/ Ricks Sr, Michael Todd
09/08/2006	MOTN	Motion DEF/ Ricks Sr, Michael Todd
09/08/2006	MOTN	Motion DEF/ Ricks Sr, Michael Todd
09/12/2006	MOTN	Motion DEF/ Ricks Sr, Michael Todd
09/12/2006	MOTN	Motion DEF/ Ricks Sr, Michael Todd
09/12/2006	MOTN	Motion DEF/ Ricks Sr, Michael Todd
09/28/2006	MINC	Minute Order (Print)
09/28/2006	MINC	Minute Order (Print)
01/03/2007	MINC	Minute Order (Print)
01/25/2007	MOTN	Motion DEF/ Ricks Sr, Michael Todd
01/29/2007	MOTN	Motion DEF/ Ricks Sr, Michael Todd
01/29/2007	MOTN	Motion DEF/ Ricks Sr, Michael Todd
01/30/2007	FOTH	Filing Other
03/12/2007	MOTN	Motion DEF/ Ricks Sr, Michael Todd
03/23/2007	ORDR	Order

05/10/2007	FOTH	Filing Other
07/09/2007	MOTN	Motion
		DEF/ Ricks Sr, Michael Todd
05/05/2008	POST	Closed After Post Judgment
05/29/2008	ORDR	Order
06/20/2008	MAND	Mandate from Appeals Court
08/01/2008	RQST	Request Filed
08/18/2008	FOTH	Filing Other
12/03/2008	AFFI	Affidavit
		DEF/ Ricks Sr, Michael Todd
12/03/2008	PETN	Petition
		DEF/ Ricks Sr, Michael Todd
12/03/2008	CERT	Certificate Filed
		DEF/ Ricks Sr, Michael Todd
12/03/2008	AFFI	Affidavit
		DEF/ Ricks Sr, Michael Todd
12/03/2008	CERT	Certificate Filed
		DEF/ Ricks Sr, Michael Todd

## Judgments

# Date Details

## Bond Information

ID Details

1 Bond Status: BRVK

Bond Status Date: 04/05/2005

Set Date: 06/03/2004

Set Amount: \$100000

Set Type: Cash/Surety/Property

Post Date: 10/29/2004

Post Amount: \$100000

Post Type: Surety

Adj Date: 06/11/2004

Adj Amount: \$100000

DEF1 Ricks Sr, Michael Todd

Surety: Robert P Silburn

Professional License Number: RBA60418

Power Number: 100458013

2 Bond Status: BVCT

Bond Status Date: 04/25/2005

Set Date: 04/05/2005

Set Amount: \$1000000

Set Type: Cash/Surety/Property

Post Amount: \$0

Adj Amount: \$0

DEF1 Ricks Sr, Michael Todd

## 3 Bond Status: BSET

Bond Status Date: 04/25/2005

Set Date: 04/25/2005

Set Amount: \$0

Set Type: No Bond

Post Amount: \$0

Adj Amount: \$0

DEF1 Ricks Sr, Michael Todd

**Financial Summary**

Accounts Receivable	Assessed	Applied	J/S Recd Rel Cse	Balance
-----	-----	-----	-----	-----
Court Costs - T, M, CR	\$35.00	\$35.00		
VAST minimum for offense on/after 5/1/03	\$162.50	\$162.50		
Victim Compensation Fund	\$125.00	\$125.00		
Accts Rcv Balance	\$322.50	\$322.50		

Un-Assigned Rcp's	Received
-----	-----
Stabilization Fund - USER Fee	\$10.00
Certification	\$10.00
Total Un-Assigned	\$20.00